



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
COASTAL BRANCH
100 WEST OGLETHORPE AVENUE ATTN: CESAS-RD-C
SAVANNAH GEORGIA 31401-3604

January 9, 2026

South Atlantic Division
Regulatory Technical Regional
Execution Center
SAS-2025-00325

Jonathan McDill
Salt Branch Partners, LLC
109 Reddick Rd
Kingsland, GA 31548
Via Email: jmcdill@mcdill2d.com

Dear Mr. McDill:

This letter is in response to your request to the Savannah District for an approved jurisdictional determination. The review area is located on the South side of Laurel Island Parkway, 0.65 miles West of the intersection of Laurel Island Parkway and Interstate 95, at Latitude 30.821240 and Longitude -81.677250; in Kingsland, Camden County, Georgia. The review area for this determination is limited to an approximately 143 acre area, which is illustrated on the enclosed site maps. This request has been assigned the file number SAS-2025-00325. This file number should be referenced in all correspondence concerning this project.

Based on our review of the information you furnished, a site inspection conducted on August 26, 2025, and other information available to our office, we have determined the above-referenced area contains 29.79 acre(s) of waters of the United States under U.S. Army Corps of Engineers (Corps) regulatory jurisdiction. These waters are identified in the enclosed site maps, KTown Residential Project dated October 21, 2025. This determination was made in accordance with the Corps regulatory authority pursuant to Section 404 of the Clean Water Act, and based upon criteria contained in the 1987 Corps of Engineers Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain regional supplement. This determination is valid for a period of **five years** from the date of the letter, unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this

determination you must submit a completed RFA form to the Division Appeals Officer at the address listed on the RFA form. In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received by the Corps by March 9, 2026. **It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.**

Section 404 of the Clean Water Act requires a Department of the Army (DA) permit be obtained prior to the discharge of dredged or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 requires a DA permit be obtained for any work in, on, over or under navigable waters of the United States.

This determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the review area identified in this request. The determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

If you intend to sell property that is part of a project that requires Department of the Army Authorization, it may be subject to the Interstate Land Sales Full Disclosure Act. The Property Report required by Housing and Urban Development Regulation must state whether, or not a permit for the development has been applied for, issued or denied by the U.S. Army Corps of Engineers (Part 320.3(h) of Title 33 of the CFR).

This communication does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property, invasion of rights, or any infringement of federal, state or local laws, or regulations. It does not obviate your requirement to obtain state or local assent required by law for the development of this property. If the information you have submitted, and on which the U.S. Army Corps of Engineers has based its determination is later found to be in error, this decision may be revoked.

You are cautioned that work performed below the mean high water line or ordinary high water line in waters of the United States; and/or, the discharge of dredged or fill material into any areas identified on the enclosed information as within Federal jurisdiction, without a Department of the Army permit could subject you to enforcement action. Receipt of a permit from a state or local municipality does not obviate the requirement for obtaining a Department of the Army permit.

Thank you in advance for completing our on-line Customer Survey Form located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. We value your comments and appreciate your taking the time to complete a survey each time you have interaction with our office.

If you have any questions concerning this correspondence, please contact Davielle Drayton, Project Manager of the Technical Regional Execution Center at 912-856-6796, by mail at the above address, or by email at davielle.n.drayton@usace.army.mil.

Sincerely,

Davielle Drayton

Davielle Drayton
Project Manager
SAD Technical Regional Execution Center

Enclosures

cc: David Ferrell, Ferrell Consulting LLC (via ferrell2302@gmail.com)

**U.S. Army Corps of Engineers (USACE)
NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS
AND REQUEST FOR APPEAL**

*Form Approved –
OMB No. 0710-0003
Expires 2027-10-31*

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority The authorities for requesting this information are Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.

Principal Purpose This information serves as notification to affected parties regarding the USACE administrative appeal options and process, as well as to facilitate requests for appeal of USACE decisions with which they disagree.

Routine Uses Routine uses will include: (a) To serve as notification to affected parties of the Corps administrative appeal options and process and to facilitate requests for appeal of Corps decisions with which they disagree. (b) Records may be referred to the Department of Justice for possible criminal prosecution. (c) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.

Disclosure Disclosure of this information is voluntary on your part. However, failure of individual to provide requested information could result in inability to determine all pertinent information regarding a Department of the Army permit matter.

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used to facilitate the initiation of the administrative appeals process. The appeals process allows an affected party to pursue an administrative appeal of certain Corps of Engineers decisions with which they disagree.

Upon release, this form will also be available on the Corps website <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/>

Applicant: Jonathan McDill		File Number: SAS-2025-00325	Date: 1/9/2026
Documents Attached (<i>select all that apply</i>):			Form Reference Section:
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL WITHOUT PREJUDICE	C	
<input type="checkbox"/>	PERMIT DENIAL WITH PREJUDICE	D	
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	E	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	F	

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL WITHOUT PREJUDICE: Not appealable

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: You may appeal the permit denial

You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- **RECONSIDERATION:** You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable

You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:	If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:
Name: Davielle Drayton	Name: Krista Sabin, Regulatory Appeals Review Officer
Street Address, City, State: 100 West Oglethorpe Ave Savannah, GA 31401	Street Address, City, State: 60 Forsyth Street SW Room 9M 15 Atlanta, Georgia 30303-8801
Phone: 912-856-6796	Phone: 904-314-9631
Email: davielle.n.drayton@usace.army.mil	Email: CESAD-Regulatory@usace.army.mil

SECTION II – REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

Email address of appellant and/or agent

Telephone number

Signature of appellant or agent

Date



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
100 W OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401

CESAS-ZR

9 January 2026

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 598 U.S. 651 (2023),¹ SAS-2025-00325.²

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.³ AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.⁴ For the purposes of this AJD, we have relied on section 10 of the Rivers and Harbors Act of 1899 (RHA),⁵ the Clean Water Act (CWA) implementing regulations published by the Department of the Army in 1986 and amended in 1993 (references 2.a. and 2.b. respectively), the 2008 *Rapanos-Carabell* guidance (reference 2.c.), and other applicable guidance, relevant case law and longstanding practice, (collectively the pre-2015 regulatory regime), and the *Sackett* decision (reference 2.d.) in evaluating jurisdiction.

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. The features addressed in this AJD were evaluated consistent with the definition of “waters of the United States” found in the pre-2015 regulatory regime and consistent with the Supreme Court’s decision in *Sackett*. This AJD did not rely on the 2023 “Revised Definition of ‘Waters of the United States,’” as

¹ While the Supreme Court’s decision in *Sackett* had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

² When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, interstate water, or territorial seas that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).

³ 33 CFR 331.2.

⁴ Regulatory Guidance Letter 05-02.

⁵ USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

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amended on 8 September 2023 (Amended 2023 Rule) because, as of the date of this decision, the Amended 2023 Rule is not applicable in this state due to litigation.

1. SUMMARY OF CONCLUSIONS.

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).
 - i. Wetland 1a (W1a), Jurisdictional, Section 404
 - ii. Wetland 1b (Wb), Jurisdictional, Section 404
 - iii. Wetland 2 (W2), non-jurisdictional
 - iv. Wetland 3 (W3), non-jurisdictional
 - v. Wetland 4 (W4), non-jurisdictional
 - vi. Wetland 5 (W5), non-jurisdictional
 - vii. Wetland 6a (W6a), Jurisdictional, Section 404
 - viii. Wetland 6b (W6b), Jurisdictional, Section 404
 - ix. Wetland 7 (W7), non-jurisdictional
 - x. Other Water 1 (OW-1), non-jurisdictional

2. REFERENCES.

- a. Final Rule for Regulatory Programs of the Corps of Engineers, 51 FR 41206 (November 13, 1986).
- b. Clean Water Act Regulatory Programs, 58 FR 45008 (August 25, 1993).
- c. U.S. EPA & U.S. Army Corps of Engineers, Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States & Carabell v. United States* (December 2, 2008)
- d. *Sackett v. EPA*, 598 U.S. 651 (2023)

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- e. Memorandum To The Field Between The U.S. Department Of The Army, U.S. Army Corps Of Engineers And The U.S. Environmental Protection Agency Concerning The Proper Implementation Of “Continuous Surface Connection” Under The Definition Of “Waters Of The United States” Under The Clean Water Act”. (March 12, 2025)
3. REVIEW AREA. The site is approximately 143 acres in size and is centrally located at Latitude 30.821378, Longitude -81.676997, in Kingsland, Georgia. See figure 1 below. (INSERT Figure 1)
4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), INTERSTATE WATER, OR THE TERRITORIAL SEAS TO WHICH THE AQUATIC RESOURCE IS CONNECTED.
The Crooked River/East River is the nearest Section 10 Traditional Navigable Water, which eventually becomes part of the Cumberland Sound that flows into the Atlantic Ocean.⁶
5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, INTERSTATE WATER, OR THE TERRITORIAL SEAS.
Jurisdictional wetlands (W1a, W1b, W6a and W6b) in the review area directly abut the Crooked River/East River, which flows to the Atlantic Ocean. Wetlands (W2, W3, W4, W5, and W7), are not adjacent and do not share a Continuous Surface Connection (CSC) to any requisite water. They are non-jurisdictional. Lastly, Other Water-1 (OW-1) does not have a CSC to a requisite water and therefore, none of the non-jurisdictional waters (W2, W3, W4, W5, W7, and OW-1) have a flow path to a TNW.
6. SECTION 10 JURISDICTIONAL WATERS⁷: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic

⁶ This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

⁷ 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as “navigable in law” even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

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resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.⁸ N/A

7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the pre-2015 regulatory regime. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.
 - a. TNWs (a)(1): N/A
 - b. Interstate Waters (a)(2): N/A
 - c. Other Waters (a)(3): N/A
 - d. Impoundments (a)(4): N/A
 - e. Tributaries (a)(5): N/A
 - f. The territorial seas (a)(6): N/A
 - g. Adjacent wetlands (a)(7): W1a, W1b, W6a, and W6b share a continuous surface connection with Crooked River. Specifically, W1a and W1b continue offsite, north of Laurel Island Parkway, west along the roadway, and behind a switchyard/electric terminal. A connection for W1a and W1b is maintained by a culverted crossing to the north. It also appears to continue West, with a continuous connection on the south side of the roadway. A linear wetland continues with standing water, which was noticeable during the site visit and google street view. The connection outside the review area, to the West, is with Caney Branch (1st order stream). This is a Relatively Permanent Water (RPW) that flows directly into the Crooked River. Outside of the review area, and to the

⁸ This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

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north, W1a and W1b share another physical connection with the southern bank of the Crooked River. Based on aerial imagery and discussions with the agent during a site visit, the northern wetlands on the parcel (W1a and W1b) predominately continue outside the review area to the north, across the roadway to the Crooked River. Previous development from the road and the switchyard/electric terminal have confined the remaining wetlands in the vicinity to the ditch sections and the powerline ROW. Hill shading maps indicate that the wetlands continue in a linear fashion and make up the remaining wetlands via displacement of fill from previous construction activities, near the northern portion of this parcel. Based on best available information of hydrology in the area and seasonal weather patterns, the wetland connection continues to the North as indicated by the agents and to the West.

W6a and W6b are part of Caney Swamp and share a physical connection with Caney Branch. As mentioned above, Caney Branch is a tributary to the Crooked River. The Caney Swamp consists of a large forested and herbaceous wetland that continues to the west, outside the review area and eventually develops a channel, carrying flow to the north. It then connects with the Crooked River, which flows directly to the Atlantic Ocean.

Wetlands 1a, 1b, 6a, and 6b, share a continuous wetland connection, outside of the review area, with qualifying requisite waters that are relatively permanent. As per current policy and guidance, these wetlands are jurisdictional waters of the United States.

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified as “generally non-jurisdictional” in the preamble to the 1986 regulations (referred to as “preamble waters”).⁹ Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA as a preamble water.
- b. Describe aquatic resources and features within the review area identified as “generally not jurisdictional” in the *Rapanos* guidance. Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA based on the criteria listed in the guidance.
- c. Describe aquatic resources and features identified within the review area as waste treatment systems, including treatment ponds or lagoons designed to meet

⁹ 51 FR 41217, November 13, 1986.

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the requirements of CWA. Include the size of the waste treatment system within the review area and describe how it was determined to be a waste treatment system.

- d. Describe aquatic resources and features within the review area determined to be prior converted cropland in accordance with the 1993 regulations (reference 2.b.). Include the size of the aquatic resource or feature within the review area and describe how it was determined to be prior converted cropland.
- e. Describe aquatic resources (i.e. lakes and ponds) within the review area, which do not have a nexus to interstate or foreign commerce, and prior to the January 2001 Supreme Court decision in “SWANCC,” would have been jurisdictional based solely on the “Migratory Bird Rule.” Include the size of the aquatic resource or feature, and how it was determined to be an “isolated water” in accordance with SWANCC.

Other Water 1 (OW-1) consists of a previously constructed pond that was excavated for purposes of obtaining material. It was then abandoned and thus, does not qualify as waters generally considered “preamble waters”. The pond does not have a continuous surface connection with other requisite waters and does not provide a nexus to interstate and foreign commerce. Because it is isolated and due to the previously mentioned circumstances, it has been determined that OW-1 would have been jurisdictional solely based on the MBR in accordance with SWANCC; therefore, is not a water of the United States.

- f. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the pre-2015 regulatory regime consistent with the Supreme Court’s decision in *Sackett* (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Wetlands 2, 3, 4, 5, and 7, consist of forested and herbaceous, depressional wetlands. These wetlands were evaluated for potential connections with requisite waters. Based on information provided by the agent and other remote sensing tools, it was determined that these wetlands do not share a continuous surface connection as per current policy and guidance. Therefore, they are considered non-jurisdictional as the lack appropriate adjacency criteria.

- 9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

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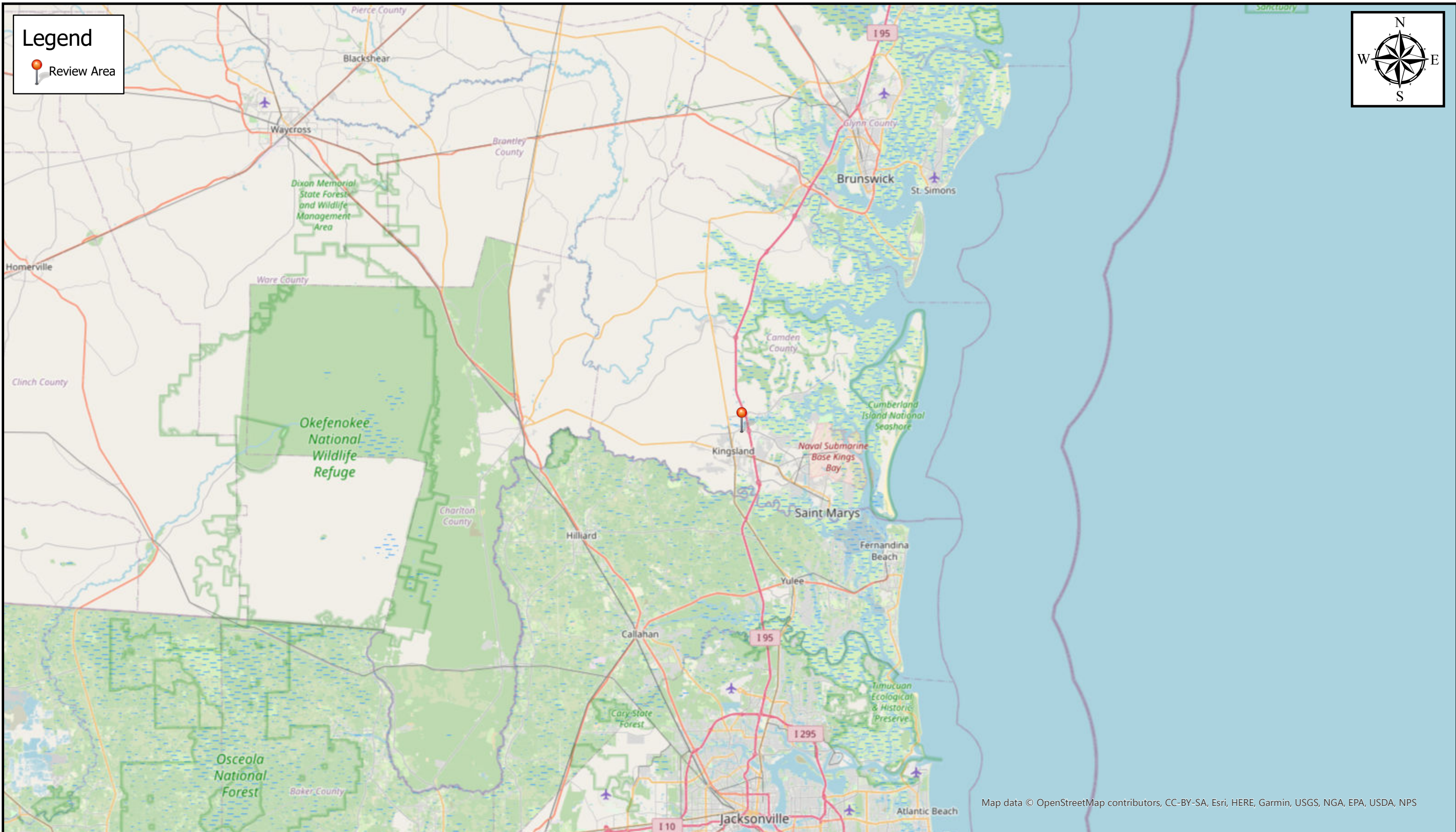
- a. Aquatic Resource Delineation (Agent), June 2025
- b. USACE Site Visit Documentation (Data sheets, Memorandum for Record (MFR), and Site Photos), August 2025
- c. Google Earth Imagery (including Street View), accessed on various dates throughout the review process.
- d. Delineation and Google Earth overlays dated Sept. 2009, May 2011, December 2014, April 2016, January 2019, and June 2023.
- e. Antecedent Precipitation Tool (APT), Sept. 2009, March 2011, December 2014, April 2016, January 2019, June 2023 and August 2025 (Prior to Site Visit).
- f. Updated Aquatic Resource Delineation, October 2025
- g. LiDAR, October 2025
- h. Web Soil Survey, September 2025
- i. USGS National Map Viewer, October 2025

10. OTHER SUPPORTING INFORMATION.

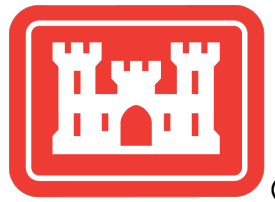
11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.

Legend

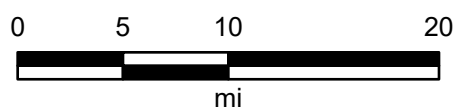
 Review Area



Map data © OpenStreetMap contributors, CC-BY-SA, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS



SAS-2025-00325

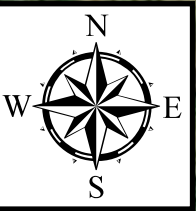


Map Center: 81.69521°W 30.841534°N

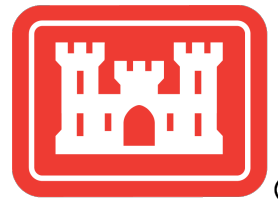
Map Created by: Davielle Drayton

Date: 1/9/2026

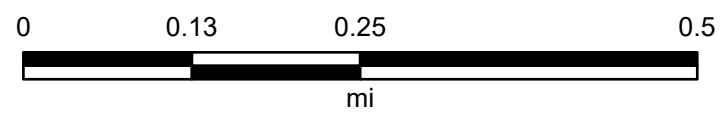
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
Projection: Mercator Auxiliary Sphere



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Microsoft, Vantor



SAS-2025-00325



Map Center: 81.676209°W 30.820895°N

Map Created by: Davielle Drayton

Date: 1/9/2026

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
Projection: Mercator Auxiliary Sphere

TOTAL WETLANDS IMPACT 0.497 ACRES

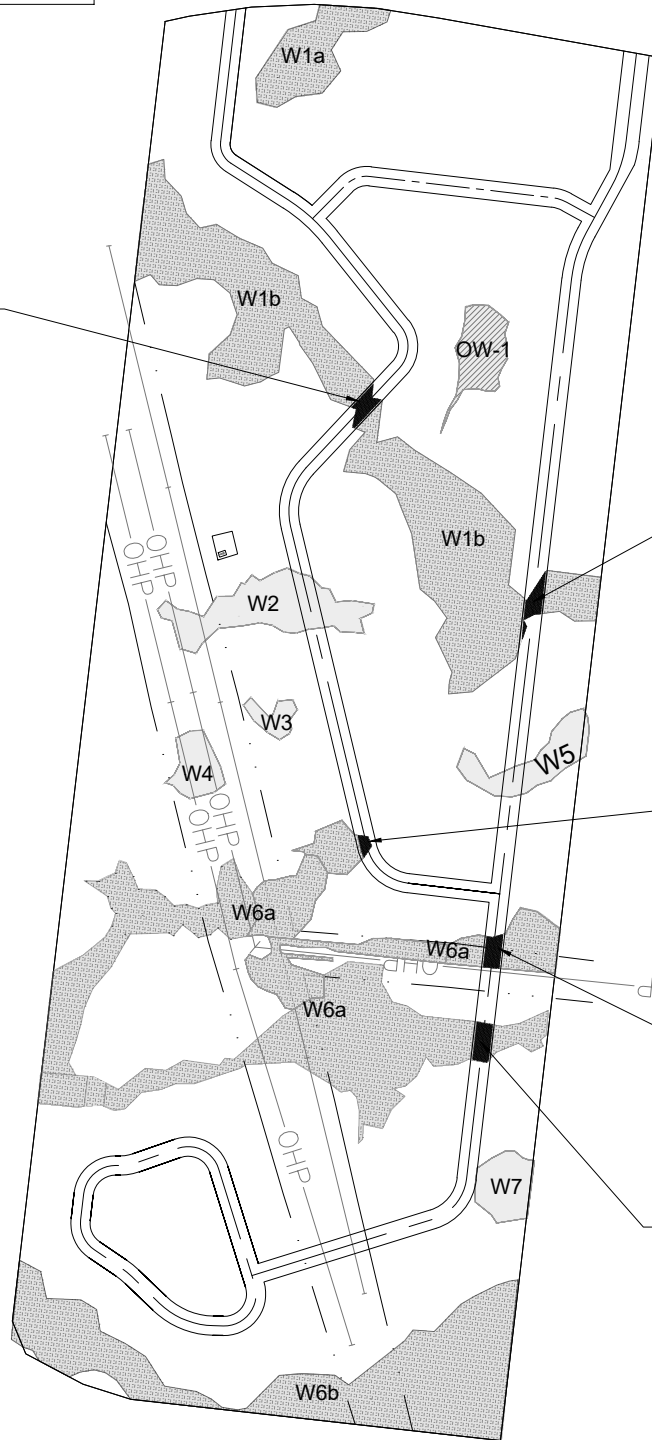
WETLAND
IMPACT
CROSSING
B/C. 2
0.105 AC

WETLAND
IMPACT
CROSSING
B/C. 1
0.112AC

WETLAND
IMPACT
CROSSING E
0.037AC

WETLAND
IMPACT
CROSSING
F2.1A
0.110AC

WETLAND
IMPACT
CROSSING
F2.1B
0.133AC



KTOWN RESIDENTIAL PROJECT

WETLAND IMPACT

CLIENT:

SALT BRANCH PARTNERS, LLC

LOCATION: KINGSLAND, GEORGIA

DATE: 10.7.25

JOB NUMBER: 25031

DRAWN BY: JM

REVIEWED BY: JM

SHEET: 1 OF 7

SCALE: 1" = 600'



109 Readdick Avenue
Kingsland, GA 31548